

EXHIBIT 10

FILEDSuperior Court of California
County of Alameda

08/07/2023

Clad File, Executive Officer / Clerk of the Court

By:  Deputy

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DAVID LUIS PEREZ and Cross-Complainant
DONNA PEREZ

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ALAMEDA**

GARY MOUNTAIN and SUSAN MOUNTAIN,

Plaintiffs,

vs.

DP ELECTRIC, et al.,

Defendants.

DAVID LUIS PEREZ AND DONNA PEREZ,

Cross-Complainants,

vs.

CARSON MADRONA COMPANY, LLC, et al.,

Cross-Defendants.

AND RELATED CROSS-ACTIONS**CASE NO.: RG 17857926**

ASSIGNED FOR ALL PURPOSES TO
JUDGE JEFFREY BRAND
DEPARTMENT 22

~~PROPOSED~~ JUDGMENT ON SPECIAL VERDICT

Complaint Filed: April 24, 2017
Trial Date: May 8, 2023

1 This action came on regularly for trial commencing on May 8, 2023, in Department 22 of the
2 Alameda County Superior Court, the Honorable Jeffrey S. Brand, Judge Presiding. Cross-
3 Complainant/Cross-Defendant DAVID PEREZ and Cross-Complainant DONNA PEREZ appeared by
4 attorneys Susie Injijian and Giorgio Panagos. Cross-Defendant/Cross-Complainant CARSON
5 MADRONA COMPANY, LLC appeared by attorneys Samuel L. Phillips and Dennis Avilucea. Cross-
6 Defendant/Cross-Complainant JAMES L. KRASNE, TRUSTEE OF THE GUILFORD GLAZER
7 TRUST OF 1984 dba SANOAK MANAGEMENT COMPANY and THE DIANE PREGERSON
8 GLAZER SURVIVOR'S TRUST dba SANOAK MANAGEMENT COMPANY (named in the special
9 verdict form as "James L. Krasne, Trustee of the Diane Pregerson Glazer Survivor's Trust dba SanOak
10 Management Company"), and Cross-Defendant JEREMY BLANCHARD appeared by attorney
11 Gustavo Pena. Cross-Defendant STONELEDGE FURNITURE LLC (named in the special verdict form
12 as "Stoneledge Furniture, LLC dba Ashley Furniture Homestore") appeared by attorney Jonathon J.
13 Herzog.

14 A jury of twelve persons and five alternates were duly impaneled and sworn. After hearing the
15 evidence and arguments of counsel and after being duly instructed by the Court and the cause submitted
16 to the jury, the jury deliberated and duly returned the special verdict attached here as Exhibit "A."

17 By reason of these special verdicts:

18 IT IS ADJUDGED, ORDERED AND DECREED that judgment is entered as follows:

- 19 1. In favor of Cross-Complainant DAVID PEREZ and against Cross-Defendant CARSON
20 MADRONA COMPANY, LLC, severally, in the amount of \$10,250,000, together with any costs
21 recoverable as a prevailing party by statute, in an amount to be claimed in a memorandum of costs
22 to be filed in this court, plus interest accruing at 10% per annum from the date of this judgment,
23 pursuant to Code of Civil Procedure section 685.010.
- 24 2. In favor of Cross-Complainant DAVID PEREZ and against Cross-Defendant JAMES L. KRASNE,
25 TRUSTEE OF THE GUILFORD GLAZER TRUST OF 1984 dba SANOAK MANAGEMENT
26 COMPANY and SURVIVING TRUSTEE OF THE DIANE PREGERSON GLAZER
27 SURVIVOR'S TRUST dba SANOAK MANAGEMENT COMPANY (named in the special verdict
28

1 form as “James L. Krasne, Trustee of the Diane Pregerson Glazer Survivor’s Trust dba SanOak
2 Management Company”), severally, in the amount of \$10,250,000, together with any costs
3 recoverable as a prevailing party by statute, in an amount to be claimed in a memorandum of costs
4 to be filed in this court, plus interest accruing at 10% per annum from the date of this judgment,
5 pursuant to Code of Civil Procedure section 685.010.

6 3. In favor of Cross-Complainant DONNA PEREZ and against Cross-Defendant CARSON
7 MADRONA COMPANY, LLC, severally, in the amount of \$2,500,000, together with any costs
8 recoverable as a prevailing party by statute, in an amount to be claimed in a memorandum of costs
9 to be filed in this court, plus interest accruing at 10% per annum from the date of this judgment,
10 pursuant to Code of Civil Procedure section 685.010.

11 4. In favor of Cross-Complainant DONNA PEREZ and against Cross-Defendant JAMES L.
12 KRASNE, TRUSTEE OF THE GUILFORD GLAZER TRUST OF 1984 dba SANOAK
13 MANAGEMENT COMPANY and SURVIVING TRUSTEE OF THE DIANE PREGERSON
14 GLAZER SURVIVOR’S TRUST dba SANOAK MANAGEMENT COMPANY (named in the
15 special verdict form as “James L. Krasne, Trustee of the Diane Pregerson Glazer Survivor’s Trust
16 dba SanOak Management Company”), severally, in the amount of \$2,500,000, together with any
17 costs recoverable as a prevailing party by statute, in an amount to be claimed in a memorandum of
18 costs to be filed in this court, plus interest accruing at 10% per annum from the date of this
19 judgment, pursuant to Code of Civil Procedure section 685.010.

20 5. In favor of Cross-Defendant JEREMY BLANCHARD and against Cross-Complainants DAVID
21 PEREZ and DONNA PEREZ, who shall take nothing from Cross-Defendant JEREMY
22 BLANCHARD on their cross-complaint, together with any costs recoverable by JEREMY
23 BLANCHARD as a prevailing party by statute, in an amount to be claimed in a memorandum of
24 costs to be filed in this court.

25 6. In favor of Cross-Defendant STONELEDGE FURNITURE LLC (named in the special verdict form
26 as “Stoneledge Furniture, LLC dba Ashley Furniture Homestore”) and against Cross-Complainants
27 DAVID PEREZ and DONNA PEREZ, who shall take nothing from Cross-Defendant
28

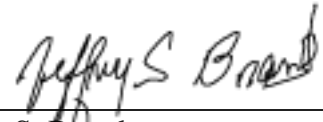
STONELEDGE FURNITURE LLC (named in the special verdict form as “Stoneledge Furniture, LLC dba Ashley Furniture Homestore”) on their cross-complaint, together with any costs recoverable by STONELEDGE FURNITURE LLC (named in the special verdict form as “Stoneledge Furniture, LLC dba Ashley Furniture Homestore”) as a prevailing party by statute, in an amount to be claimed in a memorandum of costs to be filed in this court.

7. In favor of Cross-Defendant DAVID PEREZ against Cross-Complainants CARSON MADRONA COMPANY, LLC, and JAMES L. KRASNE, AS TRUSTEE OF THE GUILFORD GLAZER TRUST OF 1984 DBA SAN OAK MANAGEMENT COMPANY, and THE DIANE PREGERSON GLAZER SURVIVOR’S TRUST, who shall take nothing from Cross-Defendant DAVID PEREZ on their cross-complaint, together with any costs recoverable by DAVID PEREZ as a prevailing party by statute, in an amount to be claimed in a memorandum of costs to be filed in this court.

08/07/2023

DATED: July ___, 2023

By:



Hon. Jeffrey S. Brand
Judge of the Superior Court of California
County of Alameda
Jeffrey Brand / Judge

EXHIBIT A

ACE004924

FILED
ALAMEDA COUNTY

JUL 10 2023

CLERK OF THE SUPERIOR COURT

By  Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ALAMEDA

GARY MOUNTAIN and SUSAN
MOUNTAIN,

Plaintiffs,

vs.

DP ELECTRIC, et al.,

Defendants.

DAVID LUIS PEREZ AND DONNA PEREZ,

Cross-Complainants,

vs.

CARSON MADRONA COMPANY, LLC, et
al.,

Cross-Defendants.

AND RELATED CROSS-ACTIONS

CASE NO.: RG 17857926

ASSIGNED FOR ALL PURPOSES TO
THE HONORABLE JEFFREY S. BRAND
DEPARTMENT 22

SPECIAL VERDICT FORM

Complaint Filed: April 24, 2017
Trial Date: May 8, 2023

SPECIAL VERDICT FORM

We, the jury, answer the questions submitted to us as follows:

1. Was Carson Madrona Company, LLC negligent?

 ☒ Yes No

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SPECIAL VERDICT FORM
Case No.: RG 17857926

ACE004925

1 If your answer to Question 1 is "yes," then answer Question 2. If your answer to Question 1 is "no,"
2 insert the number zero next to Carson Madrona Company, LLC's name in Question 11, and answer
3 Question 3.

4 2. Was Carson Madrona Company, LLC's negligence a substantial factor in causing harm to
5 David Perez?

6 ☒ Yes ☐ No

7
8 3. Was James L. Krasne, Trustee of the Diane Pregerson Glazer Survivor's Trust dba SanOak
9 Management Company negligent?

10 ☐ Yes ☒ No

11 If your answer to Question 3 is "yes," then answer Question 4. If your answer to Question 3 is "no,"
12 insert the number zero next to James L. Krasne, Trustee of the Diane Pregerson Glazer Survivor's Trust
13 dba SanOak Management Company name in Question 11, and answer Question 5.

14 4. Was James L. Krasne, Trustee of the Diane Pregerson Glazer Survivor's Trust dba SanOak
15 Management Company's negligence a substantial factor in causing harm to David Perez?

16 ☐ Yes ☒ No

17
18 5. Was Jeremy Blanchard negligent?

19 ☐ Yes ☒ No

20
21 If your answer to Question 5 is "yes," then answer Question 6. If your answer to Question 5 is "no,"
22 insert the number zero next to Jeremy Blanchard's name in Question 11, and answer Question 7.

23 6. Was Jeremy Blanchard's negligence a substantial factor in causing harm to David Perez?

24 ☐ Yes ☐ No

25
26
27
28 - 2 -

SPECIAL VERDICT FORM
Case No.: RG 17857926

ACE004926

7. Was Stoneledge Furniture, LLC dba Ashley Furniture Homestore negligent?

☒ Yes ☐ No

If your answer to Question 7 is "yes," then answer Question 8. If your answer to Question 7 is "no," insert the number zero next to Stoneledge Furniture, LLC dba Ashley Furniture Homestore's name in Question 11, and answer Question 9.

8. Was Stoneledge Furniture, LLC dba Ashley Furniture Homestore's negligence a substantial factor in causing harm to David Perez?

☐ Yes ☒ No

9. Was David Perez Negligent?

☐ Yes ☒ No

If your answer to Question 9 is "yes," then answer Question 10. If your answer to Question 9 is "no," insert the number zero next to David Perez's name in Question 11 and skip Question 10.

10. Was David Perez's negligence a substantial factor in causing his own harm?

☐ Yes ☐ No

If you answered "yes" to any of the above Questions 2, 4, 6, or 8, then answer Questions 11 and 12. Otherwise, answer no further questions, and have the presiding juror sign and date this form.

11. What percentage of responsibility for David Perez's harm do you assign to the following? Insert a percentage only for those who received a "yes" answer in Questions 1, 3, 5, 7, or 9.

Carson Madrona Company, LLC 50 % (LL)

James L. Krasne, Trustee of the Diane Pregerson Glazer
Survivor's Trust dba SanOak Management Company 50 % (LL)

Jeremy Blanchard 0 %

Stoneledge Furniture, LLC dba Ashley Furniture Homestore 0 % (LL)

David Perez 0 %

Total 100%

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SPECIAL VERDICT FORM
Case No.: RG 17857926

ACE004927

12. What are David Perez's damages?

Do not reduce the damages based on the fault, if any, of David Perez or others.

a. Past Noneconomic Damages \$7,000,000

b. Future Noneconomic Damages \$13,500,000

TOTAL (ALL DAMAGES) FOR DAVID PEREZ \$20,500,000

13. What are Donna Perez's damages for the loss of her husband David's consortium?

\$5,000,000

Dated: July 10, 2023

/Laura Leibowitz
SIGNATURE OF FOREPERSON

Laura Leibowitz
FOREPERSON (Print name)